

**Advisory Council for the Education of Students with Disabilities
Proposed Minutes**

**April 20, 2009
1256 Foster Avenue
TPS Campus, Hardison Hall
Nashville, Tennessee 37243**

Members of the Council in Attendance

David Blier	Pam Hudson
Dawn Bradley	Mary Donnet Johnson
Paula Brownyard, Chair	Catherine Knowles
Christine Lloyd Burkes	Beulah C. Oldham
Samuel Cole	Sharmila Patel
Chip Fair	Fran Powers
Jeff Finney	Sebrena St. John
Winnie Forrester	Darlene Walden
Kyle Hauth	Myles Wilson
Cynthia Higginbotham, Vice-Chair	

Members of the Council Not in Attendance

Pamela Burns	Shannon Taylor
Janelle Glover	Jim Topp
Cindy Storey	Tonya Watson

State Employees in Attendance

Bob Blair, TN Department of Education/Division of Special Education (TDE/DSE)
Joseph Fisher, TDE/DSE
Jessica Harbison, TDE/DSE
Nathan Jackson, TDE/DSE
Kathi Rowe, TDE/DSE
Bill Wilson, TDE/DSE
Nan McKerley, TDE/DSE

Visitors in Attendance

Rick Wharton

Welcome

Paula Browyard welcomed everyone to the meeting and then called the meeting to order. She requested that the Council and guests recite the Pledge of Allegiance.

Acceptance of Agenda

The agenda was accepted with one change. Public Input was moved forward to include committee input in the Report from the Chair.

Approval of Minutes from January 12, 2009 Meeting

The minutes were accepted as presented.

Public Input

No one was present to address the Council at this meeting.

Report from Chair

- 2009 Annual Special Education Conference – Paula Brownyard congratulated the Division of Special Education (DSE) staff for another successful conference, commenting it may have been the best one so far.
- Regional Video Conferencing – David Blier, an employee with the Department of Education (DOE) Office of Technology, researched options for regional video conferencing and found that it would cost the Department approximately \$1200 annually. The logistics of advertising and participation issues were discussed. The Council then voted to pilot in three (3) regional locations – East, Middle and West – for one (1) year. David Blier and Kyle Hauth volunteered to form a committee to work on setting up these pilots.
- Restraint Bill Committee – Cynthia Higginbotham, Subcommittee Chair, presented the following proposed changes:
 - The proposed state rules regarding the restraint law (PC 1063) defines extended restraint as, "Extended restraint means a physical holding restraint lasting longer than five (5) minutes." The Advisory Council recommendation states, "Extended restraint means a physical holding restraint lasting longer than (5) minutes, or longer than the amount of time indicated in the IEP, whichever is greater."
 - Encourage school systems to address the need for restraint, de-escalation and behavior management training within the local education agency.
 - Add the language "A meeting conducted pursuant to 49-10-1304 (b)(2) may be conducted on at least twenty-four (24) hours notice to the parents." This language would allow school systems to conduct an IEP meeting without waiting the 10 day notice period required currently by regulation law.

The Council voted to accept the proposed suggestions as presented. The State Board of Education is scheduled to discuss this topic at a meeting on May 2, 2009 with a second reading in August. A letter from the Council will be drafted and sent prior to this meeting.

Proposed Change to the Advisory Council By-laws

Mr. Topp had requested at a previous meeting a change in the by-laws in order to use time more efficiently. In Section IV, paragraph 1, he has asked that the term for the Chair and Vice-Chair be extended from one year to two years. Dr. Topp emailed his

proposal to all of the Advisory Council members for future discussion and vote at this meeting; however, Dr. Topp was unable to attend this meeting so the issue will be tabled until the July 2009 meeting.

Annual Report

Cynthia Higginbotham assumed the responsibility of reporting the Council activities for the 2007-08 school year. A draft report will be sent to the Council members for them to vote on in July. Pam Hudson, Jeff Finney, and Sabrina St. John volunteered to work on the Council Goals for the next two school years.

ARRA

Joseph Fisher, Nan McKerley and Kathi Rowe presented information regarding the ARRA funds that have been dispersed to each state and how that money will be distributed to the local school districts.

Other New Business

- Pam Hudson noted that Special Education students scheduled to receive Special Education diplomas do not currently count toward a school district's graduation rate and asked how they are counted. Nan McKerley answered that this is due to federal reporting requirements and is not something the State can control. Joseph Fisher added that states can petition to have this changed, although other states that have tried have been unsuccessful. The DSE staff will request that Connie Smith, Assistant Commissioner of School Accountability, attend the July 2009 meeting to help discuss this issue in greater detail.
- The Council set a tentative meeting schedule as follows:
 - July 20, 2009
 - October 12, 2009
 - January 11, 2010
 - April 2010 TBD

Paula Brownyard then adjourned the meeting.